

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

REGINA B.,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00374

KILOLO KIJAKAZI,

Acting Commissioner of Social Security,

Defendant.

**ORDER**

This action was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636. On October 11, 2023, Judge Aboulhosn submitted his Proposed Findings and Recommendations (“PF&R”) [ECF No. 10], and recommended that the court deny Plaintiff’s request for remand, grant Defendant’s request to affirm the decision below,<sup>1</sup> affirm the final decision of the Acting Commissioner, and dismiss this matter from the court’s docket. Neither party filed objections to the PF&R, which were due by October 30, 2023.

A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”

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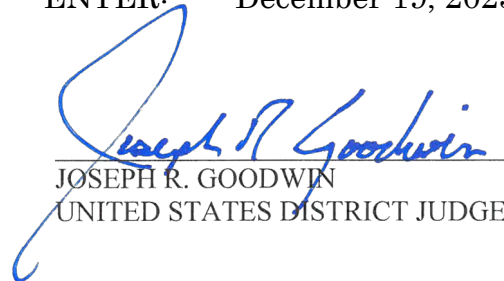
<sup>1</sup> Plaintiff’s request for remand is also called Plaintiff’s motion for judgment on the pleadings, *see* [ECF No. 7], and Defendant’s request to affirm the decision below is docketed as Defendant’s brief in support of judgment on the pleadings, *see* [ECF No. 8].

28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review, under a de novo or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 150 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R [ECF No. 10], and orders judgment consistent therewith. As such, the court **GRANTS** the Defendant's request to affirm the decision below [ECF No. 8]; **DENIES** Plaintiff's request to remand [ECF No. 7]; **AFFIRMS** the decision of the Commissioner; and **DISMISSES** this civil action from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: December 19, 2023



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE